

**TCEQ, Air Permits Division
PBR Study Stakeholders Group
July 10, 2003
9:00 AM
12100 Park 35 Circle
Building C, Room 131E
Minutes**

I Opening Remarks Anne Inman

Anne thanked participants for coming to the meeting, gave a brief overview of the PBR project, and introduced TCEQ staff working. She described a tiered concept of authorization for air pollution sources that includes: de minimus for those sources not requiring an authorization; PBR for simple sources with low emissions, standard permits for more complex or controversial sources; and regular NSR permits for those sources that require case-by-case consideration.

II Background or Update Information Anne Inman

Anne described Phase I of the PBR project. It will occur in two parts. The first part includes: amendments to §106.50 fees; repeal of §106.5 Public Notice, §106.201-203 Concrete Batch Plants, and §106.493 Direct Flame Incinerators; and amendments to §106.491 Dual Chamber Incinerator, §106.496 Trench Burners, §106.533 Remediation. The second part will involve amendments to §106.512, Stationary Engines and Turbines and §106.352, Oil and Gas Facilities, in conjunction with revisions to the Landfill and Oil and Gas GOPs.

Several stakeholders commented on other PBRs they were interested in revising or updating to address new technologies, manufacturing processes, or other types of fast-track authorizations for common facilities as well as updating the requirements for the general PBRs §106.261-264. Staff noted that any and all comments are welcome at any time and will be considered as each phase of the PBR Study is evaluated for priority and need.

III Discussion Topics

A. General (Fees and Repeal of §106.5, §106.201-203, and §106.493) 9:30 - 10:00

§106.50 will be amended to allow non-profit organizations to pay a reduced registration fee. §106.201-203 are being repealed because they are no longer being used since authorization for concrete batch plants was replaced by a standard permit. §106.5 is being repealed because it includes the requirements for public notice that was only used for the concrete plant PBRs and is no longer necessary.

No comments were received on this topic.

B. §106.491, Dual Chamber Incinerator 10:00 - 12:00

Dario Hearn presented the proposed amendments that would allow the destruction of confiscated drugs in these facilities. He discussed design requirements including stack height and distance limitations. Dario also described the operational limits, monitoring and recordkeeping, and possible other state and federal requirements for these facilities.

There were no representative from law enforcement agencies present and stakeholders present did not make any substantive comments on this proposal. TCEQ will continue to contact law enforcement regarding these issues.

C. §106.496, Trench Burners 1:00 - 3:00

Anne Inman presented the amendments to this PBR. She described the new definitions, the notification process, ash disposal requirements, interface with federal and TCEQ waste regulations, authorization of above ground fireboxes, new operational limits and monitoring and recordkeeping. Stakeholders offered the following comments.

- Comment: 300ft property line requirement will cause problems with small sites. Response: The distance requirement was imposed to ensure compliance with Chapter 111 particulate standards.
- Comment: Typical manifolds may be as much as 40 ft. in length. Response: Staff will look at increasing the length considering how this change affects material throughput and associated emission rates from burning wood based on the extensive research on emission factors. The staff also requested additional information from stakeholders on any other emission factors or sampling results on the particulate matter emissions from facilities of this type.
- Comment: Why aren't permanent facilities proposed to be authorized? Response: EPA waste regulations appear to only allow trench burners for infrequent use. Staff committed to continuing to work this issue between waste and air to allow some limited use of trench burners by permanent facilities in compliance with rules and laws.
- Comment: What did you use as emission factors to determine the 500 hr per year limit? Response: A composite factor based on sampling data and EPA factors was developed. Staff reviewed four major federal publications: "Compilation of Air Pollutant Emissions Factors, Fifth Edition, AP-42" February 17, 2003; "Evaluation of Emissions from the Open Burning Of Land-Clearing Debris," Lutes, Christopher C. and Kariher, Peter H., U.S.EPA, EPA/600/SR-96/128, January 1997; "Development of Emissions Inventory Methods for Wildland Fires," Battyre, William and Battyre, Rebecca, U.S. EPA Research Triangle Park, N.C. 27711, Final Report, February 2002, EPA Contract No. 68-D-98-046, Work Assign 5-03; and the *Federal Register*, December 1, 2000 (Vol 65 Number 232), Pages 75337 - 75376 on "Commercial and Industrial Solid Waste Incineration Units." Using factors that considered both flaming and smoldering circumstances, the commission

estimated PM emissions from combustion. Empirical studies, as well as two site visits with portable particulate monitors, were relied upon to develop representative emission rates and a corresponding modeled impacts analysis. The equivalent emission factor used for this analysis was 14.0 pounds PM₁₀ per ton of material burned. Using this emission factor, an estimated 7 tons per hour of material burned (the approximate capacity of a 35' trench or box), the emissions for 500 hours of operation is 24.5 tpy PM, very close to the PBR limit (§106.4) of 25 tpy PM. Staff requested any additional information the stakeholders may have on emission factors, rates, or sampling to revise this evaluation.

D. §106.533, Remediation 3:00 - 5:00

Howard Uhal discussed the proposed amendments to this PBR. He discussed definitions, general and administrative requirements, the addition of IC engines as a control device, Distance requirements. He also told the stakeholders that we are continuing to research dry cleaning compounds and are looking for information concerning appropriate sampling methods. The following comments were made by the stakeholders.

- Comment: Can the PBR allow the use of alternative control devices? Response: PBRs are not structured to allow for case-by-case review of alternative control methods. These authorization types must be for similar facilities and have no case-by-case review.
- Comment: Please clarify that gas station and dry cleaner remediation does not require a 100 ft. set back. Response: Staff will revise rule language so that this is clear.

Anne Inman asked stakeholders if thermal control devices are typically used at a dry cleaner remediation site (they are not) and if a 10 ft. height requirement was reasonable (it is).

IV Closing Remarks/Action Items Anne Inman

Staff thanked the stakeholders for taking time and giving feedback to the agency. Anne Inman also encouraged any additional comments on these, or any other, PBR to be forwarded to the TCEQ at the earliest opportunity. Blake Stewart also reminded stakeholders to sign up for the APD email group for this rule proposal, or let him know if they are interested in any other PBR package.

MEETING ATTENDEES

Sign-In Sheet

Attendee Name
(Please Print Legibly)

AFTERNOON SIGN IN PBR STAKEHOLDERS

Jim Broussard
Emmanuel Ukandu
HOWARD UHAZ
Benny Husinecky JR
BEN J SMITH
Gina Berner
JERRY KUNG
Andy Gardner
Kent Simmons
Neil Young
Geoff POSPISIL
DARREN HUBBARD
John Coll
Brenda Baxter

Sign-In Sheet

Attendee Name
(Please Print Legibly)

Lisa McCartney
JAMES CALLAN
Bill Smalley
Candy Melancon
ROHIT SHARMA
Lynd Kirchhoff
GARY FORD
Chad Scrymgeour
Christi Townsend
David Ferrell
Keith Shedy
John Gott
MIKE COLDIRON
Chris Dick